

SHDQT

PROCEEDINGS AND ORDERS

DATE: [04/05/90]

CASE NBR: [89106347] CFH

STATUS: [DECIDED]

SHORT TITLE: [Smith, Frank]

VERSUS [Dugger, Sec., Florida DOC] DATE DOCKETED: [122989]

*** CAPITAL CASE ***

PAGE: [01]

*****DATE****NOTE*****

PROCEEDINGS & ORDERS

3 Oct 26 1989 D Application (A89-314) to recall and stay mandate pending filing and disposition of petition for writ of certiorari, submitted to Justice Kennedy.

4 Oct 30 1989 Application (A89-314) denied by Justice Kennedy.

1 Dec 29 1989 D Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed.

5 Jan 26 1990 D Application (A89-537) for a stay of execution of sentence of death, submitted to Justice Kennedy.

6 Jan 30 1990 Brief of respondent Richard Dugger in opposition filed.

7 Jan 31 1990 Response to application (A89-537) filed by Dugger, Sec., FL DOC.

8 Feb 1 1990 Reply brief of petitioner Frank Smith filed.

10 Feb 8 1990 Application (A89-537) referred to the Court by Justice Kennedy.

11 Feb 8 1990 Application (A89-537) denied by the Court. Justice

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11 Feb 8 1990 Application (A89-537) denied by the Court. Justice Brennan and Justice Marshall dissenting. Justice Blackmun and Justice Stevens would grant the application for stay.

12 Feb 15 1990 DISTRIBUTED. March 2, 1990

14 Mar 5 1990 REDISTRIBUTED. March 16, 1990

16 Mar 19 1990 The petition for a writ of certiorari is denied. Dissenting opinion by Justice Marshall with whom Justice Brennan joins. Justice Blackmun dissents and would grant certiorari. (Detached opinion.)